

## KIN BUC WILL SHUT DOWN BY JAN. 15

# DEP, landfill reach closing accord

By DAVID WALD

Lawyers for the Department of Environmental Protection and the Kin Buc landfill in Edison yesterday reported a final agreement to close the landfill by Jan. 15.

The 12-point agreement, which was reached after almost a month of negotiations, was submitted to a hearing examiner for the State Board of Public Utility Commissioners by John Van Dalen, a deputy attorney general representing the DEP, and Theodore Schwartz, attorney for Scientific Inc. of Scotch Plains, operator of the landfill.

Under the agreement, Kin Buc will submit to the DEP by Monday a specific "closure plan" detailing environmental safeguards to be constructed after the dump is closed.

Kin Buc will also post two \$50,000 bonds — or one \$50,000 bond and a corporate guarantee of equal value — to ensure the closure plan is carried out.

The agreement must be formally approved by DEP Commissioner David Bardin and PUC Commissioners Joel Jacobson, Richard McGlynn and George Barbour. It is not expected that the commissioners will reject the agreement.

Van Dalen said yesterday the agreement has the approval of Beatrice Tylutki, director of the DEP's Solid Waste Administration.

The PUC and DEP in July jointly ordered hearings on whether to permanently close the 40-acre Kin Buc I landfill site along the Raritan River because of environmental violations.

PUC Hearing Examiner Harold Kaplan, who was assigned the case, postponed hearing testimony on specific allegations against the landfill to allow time for the agreement to be reached.

The existing ban on the dumping of chemical and hazardous waste at the Kin Buc I site, which went into effect in July, will continue under the consent agreement to

permanently close the dump by Jan. 15.

Kin Buc agreed to submit to the DEP designs for a leachate collection system for the dump, which will include a dike along the Raritan River intended to prevent contaminated water from the landfill from seeping into the river.

The landfill owners also agreed to install seven groundwater monitoring wells around the dump.

The company agreed not to accept any liquid, semi-liquid, chemical or hazardous waste to be dumped at the landfill through Jan. 15, and agreed to post a \$50,000 bond to clean up and remove such waste.

The second \$50,000 bond, "or security of equal value accepted by the DEP," will remain in effect until all construction under the closure plan is completed.

Roland Winter, Edison Township attorney, said yesterday the agreement satisfied "Edison's paramount objective to close Kin Buc."

## EPA supports sludge dump move

By JAMES WARREN

The federal Environmental Protection Agency, prompted by last summer's massive fishkills off

the New Jersey coast, is willing to move the dump site for sewage sludge, presently 12 miles off Sandy Hook.

Gerald Hansler, region-

al EPA administrator for New York-New Jersey, revealed yesterday he would move the waste disposal operation 40, 60, or 106 miles off Sandy Hook if state and federal officials were so inclined.

An environmental coalition had originally asked EPA to move the site in 1973. Hansler was reluctant, but left the door open "just in case any major circumstance changed matters."

Last summer's fishkill, covering more than 3,000 square miles of ocean, provided the catalyst.

Through there are various theories on the source of the kill — some blame the sludge while others point to natural causes — Hansler last week wrote

New Jersey, New York, the National Ocean and Atmospheric Association and the Federal Food and Drug Administrations, among others, seeking advice.

"We really can't tell what the exact reason for those kills was," Hansler explained. "So we decided to ask as many experts as possible for their opinions."

"This is basically a call for information and reconsideration of our previous stance," he said.

EPA has issued an impact statement early this year, suggesting the dump site continued at its present location. The agency felt there was no real threat of a health hazard.

Most fishing takes place within an area 100 miles off the Jersey coast. There is an existing dump site 106 miles offshore, Hansler indicated, and 11 industries dump chemical wastes there.

Rep. James Howard (D-3d Dist.) had previously urged moving the present site 60 miles away from the coast, though EPA balked at the suggestion. Howard also introduced legislation to appropriate the \$29 million, which a 60-mile move would cost. But he said Monday he now favors the 106-mile move.

The regional administrator expects responses by Nov. 5 and will then decide whether to move the site.